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10/532,519	04/25/2005	Robert Seeman	357731.00002	6033

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EXAMINER	
GOODCHILD, WILLIAM J	

ART UNIT	PAPER NUMBER
2445	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/532,519	SEEMAN, ROBERT	
	Examiner	Art Unit	
	WILLIAM J. GOODCHILD	2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 October 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 1-20 are objected to because of the following informalities.

Claim 1, line 5, the phrase "that specified TLD" has been defined in claim 1, line 2, it is suggested to change the phrase to –the specified TLD--, in order to improve the clarity of the claim language.

Similar errors can be found in claims 11-20.

Any claim not specifically addressed above, is being objected to as incorporating the deficiencies of a claim upon which it depends.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 11 refer to a typographical error, claims 2 and 12 refer to a typographical error being an accident. Typographical errors, erroneous entry's and accidents do not show the invention, but merely point out a user entered error, which is unclear as to how a user entered error is being determined, specifically how a user who enters .cm really meant to enter .com and how it is part of the invention, rather then merely intended use.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 4-5, 9, 11-12, 14-15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Berstis et al., (US Patent No. 6,092,100), (hereinafter Berstis).

Regarding claims 1 and 11, Berstis discloses determining whether the URL entered into the browser URL line matches a web page that exists for that specified TLD [figure 4, item 52 and column 5, lines 50-60];

if there is no match to a web page, then, instead of treating the URL as unresolvable, providing for a domain name server to automatically direct the browser to at least one web site and not provide an error message [figure 4, items 55, 58, 60, figure 5 and column 5, line 61 – column 6, line 16];
in which the specified TLD is a typographical error entered by the end-user as a ccTLD instead of a .com or a .net TLD [column 5, lines 50-60]; and
in which the DNS server is a ccTLD DNS [figure 4, item 52 and column 5, lines 50-60, if a country code is entered, the lookup will end up at a ccTLD DNS].

Regarding claims 2 and 12, Berstis discloses the typographical error involves only one letter being accidentally omitted [column 4, lines 63-65].

Regarding claims 4 and 14, Berstis discloses the web site that the browser is directed to includes content that is specifically related to the meaning of the URL [column 2, lines 51-58].

Regarding claims 5 and 15, Berstis discloses the web site is a general web search site or portal [column 2, lines 51-58].

Regarding claims 9 and 19, Berstis discloses the URL comprises a generic term [column4, lines 56-60].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis as applied to claims 2 and 11 above, and further in view of Robinson et al., "Relationship of Telex Answerback Codes to Internet Domains", RFC 1394, January 1993, (hereinafter Robinson).

Regarding claims 3 and 13, Berstis does not specifically disclose in which the ccTLD is selected from the set ".cm", ".om", ".co", ".ne" and ".et".
However, Robinson discloses the Internet Domains country codes in a set [Robinson, pages 2-7, Cameroon – cm, Oman – om, Columbia – co, Niger Rep –ne and Ethiopia - et]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the list of country codes in order to create a set of country codes.

8. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis as applied to claims 1 and 11 above, and further in view of Hitson et al., (US Publication No. 2002/0010759), (hereinafter Hitson).

Regarding claims 6 and 16, Berstis does not specifically disclose in which the web site is one of several potential web sites the browser could be directed to, with the actual web-site selected depending on the geographic location of the end-user. However, Hitson discloses advertisements may be selected based upon geographic location [Hitson, paragraph 14]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate geographic location in order to target end users with relevant location information.

9. Claims 7-8 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis as applied to claims 1 and 11 above, and further in view of Hansen et al., (US Publication No. 2002/0038456), (hereinafter Hansen).

Regarding claims 7 and 17, Berstis does not specifically disclose in which a database record is maintained of the traffic brought to the web site to enable traffic based revenue to be calculated. However, Hansen discloses a usage database to indicate measurements of when content is shown for revenue generation. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate revenue generation measurements and calculations in order to maintain records of traffic.

Regarding claims 8 and 18, Berstis-Hansen further discloses a database record is maintained of the click-through traffic from the web site to enable click-through based revenue to be calculated [Hansen, paragraph 91].

10. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis as applied to claims 1 and 11 above, and further in view of TLD Sponsorship Agreement: Attachment 13 (.museum), October 16, 2001, (hereinafter ICANN).

Regarding claims 10 and 20, Berstis discloses to direct that if the requested domain name is not found in the list of registered names in the DNS zone file, then the unique identification number (IP) of a computer hosting the web site is returned to the end-user's computer [Berstis, figure 4, items 55, 58, 60, figure 5 and column 5, line 61 – column 6, line 16].

Berstis does not specifically disclose a computer instruction is added to a DNS zone file. However, ICANN, in the same field of endeavor, discloses A DNS wildcard A record will be placed at the end of the .museum zone file. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a wildcard DNS entry in the zone file in order to catch mistyped entries.

Response to Arguments

11. Applicant's arguments filed 10/09/2008 have been fully considered but they are not persuasive.

A – Regarding the 112 second paragraph rejections of claims 1-20, Applicant argues "Applicant has amended the claims in a manner that applicant believes overcomes these objections".

A – The Examiner is maintaining the 112 2nd paragraph rejections as the amended claims refer to and relies on a "typographical error" as part of the limitation of the claim. A typographical error, erroneous entry or an accident are synonyms of each other. It is unclear how an accident / error / erroneous entry is determined [as the user may have purposely entered the URL]. A user for the country of Cameroon may enter a URL and may type in a website he / she believes is valid with a .cm ending [so it is not an error, although it may be erroneous for the NNN portion of the www.NNN.cm URL rather then the TLD portion being an error. Another user such as this examiner may purposely enter an invalid TLD to see the result. As such, it is unclear how the limitations of claims 1 and 11 are determining when an error is made by typing in a country code TLD rather then a .com or .net TLD.

B – Applicant argues "it the user-entered URL does not match a web page, then, instead of treating the URL as unresolvable, a domain name server automatically

directs the browser to at least one web site. The domain name server does not provide an error message. Bertis neither teaches nor suggests this".

B – Bertis discloses if the URL does not match a web page, then, instead of treating the URL as unresolvable, automatically direct the user to at least one web site [figure 4, items 55, 58, 60, figure 5 and column 5, line 61 – column 6, line 16, the at least one web site is the best guess of the possible web sites that the user may have meant to type in (This is a web site of the best choices found / determined). Additionally, this is done automatically, as there is no user intervention other then the initial set up to implement this process, when the web site of possible URL choices is presented, an error message is not given].

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Albitz discloses adding a wildcard to the end of a DNS lookup file in order to provide a catch all [Albitz, chapter 15].

Examiner's Note: Examiner has cited particular paragraphs / columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the cited passages as taught by the prior art or relied upon by the examiner.

Should applicant amend the claims of the claimed invention, it is respectfully requested that applicant clearly indicate the portion(s) of applicant's specification that support the amended claim language for ascertaining the metes and bounds of applicant's claimed invention

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM J. GOODCHILD whose telephone number is (571)270-1589. The examiner can normally be reached on Monday - Friday / 8:00 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrice Winder/
Primary Examiner, Art Unit 2445

WJG
01/06/2009